Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Measures undertaken by the Republic of Croatia on implementing the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Croatia

1. In accordance with the recommendations of the Final Document of the 2000 Review Conference and taking into consideration paragraph 15, subparagraph 12, and paragraph 16, subparagraph 7, of the said document, the Republic of Croatia would like, through the United Nations Secretariat, to inform the Chairman of the Preparatory Committee and the President of the 2005 Review Conference on progress it has made on the implementation of article VI of the Treaty and paragraph 4 (c) of the 1995 decision on "Principles and objectives for nuclear non-proliferation and disarmament".

2. Having passed the test of time, the Nuclear Non-Proliferation Treaty has confirmed its role as the most important international deterrence instrument against the threat of nuclear arms proliferation, while conversely promoting the peaceful uses of nuclear energy. It is our firm belief that the Treaty has helped to facilitate and promote the enhancement of regional as well as global strategic security and stability.

3. In accordance with its internationally accepted obligations, the Republic of Croatia is actively implementing and abiding by the principles of non-proliferation and the non-acquisition of nuclear materials or equipment used in the production of nuclear weapons or any other nuclear explosive devices. In this regard, Croatia believes that in order to strengthen international acceptance of these provisions the Conference on Disarmament in Geneva should, at its earliest possible opportunity, establish an ad hoc committee with a mandate to negotiate a non-discriminatory, multilateral and effectively verifiable treaty banning the production of fissile materials for nuclear weapons or other nuclear explosive devices.

4. That being said, Croatia should like also to add its support to the stipulation included in article VI of the Treaty, which contains a clear obligation for States parties to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and nuclear disarmament, and on

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a treaty on general and complete disarmament under strict and effective international control. Croatia therefore supports efforts within the framework of the Conference on Disarmament to establish, at its earliest possible opportunity, an ad hoc committee with a mandate to exchange information and views on practical steps towards concluding a non-discriminatory, multilateral and effectively verifiable instrument on the cessation of the nuclear arms race and nuclear disarmament.

5. Croatia signed an Agreement with the International Atomic Energy Agency (IAEA) on the Application of Safeguards (National Gazette 13/1994) in 1994. In doing so, Croatia accepted the safeguards system of IAEA with the aim of preventing the misuse of the peaceful uses of nuclear energy so as not to acquire nuclear weapons or other materials required for nuclear explosions. Supervision and control measures are implemented for all nuclear materials (source or special fissionable material), whether it is being produced, processed or used in any nuclear facility or is outside any such facility. Even though Croatia at this time does not possess any nuclear facilities, it is important to note that all the necessary safeguard measures are applied (supervision and control measures) in all peaceful activities involving nuclear materials on the territory of the Republic of Croatia, territory under its jurisdiction or under its control.

6. Croatia signed an Additional Protocol with the International Atomic Energy Agency for the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons (National Gazette 7/2000). In doing so, Croatia accepted the obligation to establish supervision and control measures in the production and import and export of specific equipment and materials specially designed or prepared for producing, processing or using nuclear materials. The scope of the Protocol in regard to the supervision and control of production activities is outlined in annex I, and a list of equipment and materials under export or import control is included in annex II to the Additional Protocol.

7. In line with articles 2 and 3 of the Additional Protocol, Croatia regularly reports to IAEA on the current state of affairs in Croatia with regard to the use of nuclear materials, research and development activities, as well as the production, import and export of specific equipment and nuclear materials. Regular inspections are conducted at locations where nuclear materials are used or where specific equipment can be produced. At the State level all uses of nuclear materials are lodged in an official register, which is kept at the Directorate for Energy and Mining of the Ministry of Economy. The import and export of nuclear materials, specific equipment and non-nuclear materials is supervised/regulated through the issuance of licences by the Directorate for Trade Policy and International Economic Relations of the Ministry of Economy, but only after receiving prior clearance from the Directorate for Energy and Mining.

8. Croatia is also a State party to the Convention on the Physical Protection of Nuclear Material (National Gazette 5/2001). In becoming a State party to that Convention, Croatia undertook the obligation to effectively protect nuclear materials that are used, stored (stockpiled) or transported for peaceful purposes. Croatia will not approve the import, export or transit (transport) of nuclear materials without guarantees that these materials are protected according to levels specified in annex I of the Convention. In the event of theft, robbery or any other illegal activity involving nuclear materials or similar threats, Croatia shall, in line with its domestic

legislation, undertake to cooperate and provide assistance in efforts to retrieve and protect those materials.

9. International obligations undertaken by Croatia in regard to protection measures and the supervision or control of nuclear materials are regulated by domestic legislation. This includes:

(a) Act on Protection from Ionizing Radiation and Safety Measures for Nuclear Plants and Facilities of Croatia (*Zakon o mjerarna za zaštitu od ionizirajućeg zračenja i za sigurnost nuklearnih objekata i postrojenja, NN 18/1981*);

(b) Act on Radiation Protection and the Safe Use of Nuclear Energy (*Zakon o zaštiti od ionizirajućih zračenja i o posebnim mjerarna sigurnosti pri upotrebi nuklearne energije, NN 53/1991*);

(c) Act on Liability for Nuclear Damage (*Zakon o odgovornosti za nuklearnu štetu, NN 143/1998*);

(d) Law on Trade (*Zakon o trgovini, NN 11/1996; 75/1999; 76/1999; 62/2001; 109/2001*);

(e) Act on the Transport of Dangerous Materials (*Zakon o prijevozu opasnih tvari, NN 97/1993*);

(f) Law of Customs Tariffs (*Zakon o carinskoj tarifi, NN 61/2000*);

(g) Decree on the Specification of Goods on the Basis of Import/Export Licensing (*Uredba o odredivanju robe koja se izvozi i uvozi na temelju dozvola, NN 118/2001, 108/2002, 134/2002*).

10. Moreover, Croatia is also a State party to the following Conventions regulating the peaceful uses of nuclear energy:

- Vienna Convention on Civil Liability for Nuclear Damage (IAEA document INFCIRC/500/Add.1);
- Convention on Early Notification of a Nuclear Accident (INFCIRC/335);
- Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (INFCIRC/336);
- Joint Protocol relating to the Application of the Vienna Convention and the Paris Convention (INFCIRC/402);
- Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (INFCIRC/546).

11. Croatia is a State party to the Comprehensive Nuclear-Test-Ban Treaty (Croatia signed the Treaty on 24 September 1996 and ratified it on 2 March 2001) and actively participates in the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, including its Working Group B which deals with the examination of verification issues. Croatia established in June 2002 a National Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, which consists of representatives from the Ministry of Foreign Affairs, the Ministry of Science and Technology, the Ministry of Defence, the Ministry of the Economy, the Geophysical Institute of the Mathematical Faculty of the University of Zagreb, the Naval Institute, the Croatian Institute for Construction

and the Ruđer Bošković Institute. Croatia has designated the Department for International Security of the Ministry of Foreign Affairs as its national authority acting as focal point for liaison with the Preparatory Commission and with other States signatories. Croatia participated in the workshops of the Preparatory Commission in Vienna (November 1998) and in Istanbul (May 2001).

12. In connection with the establishment of nuclear-weapon-free zones, Croatia has either individually or collectively already expressed its favourable attitude towards the creation of nuclear-weapon-free zones in various parts of the world, recognizing them as important complementary instruments to the Treaty on the Non-Proliferation of Nuclear Weapons. Appreciating the role that nuclear-weapon-free zones can play in promoting regional and global peace and security, Croatia welcomes the treaties hitherto concluded in this respect: the Treaty of Tlatelolco on a nuclear-weapon-free zone in Latin America and the Caribbean and the Treaty of Pelindaba on a nuclear-weapon-free zone in Africa.

13. At the same time, Croatia continues to believe that the establishment of nuclear-weapon-free zones must not interfere with existing — or evolving — security arrangements to the detriment of regional and international security, or otherwise adversely affect the inalienable right to individual or collective self-defence guaranteed under the Charter of the United Nations. It is therefore the firm belief of Croatia that internationally recognized nuclear-weapon-free zones can be established only on the basis of arrangements freely arrived at among the States of the region concerned.